

REMARKS

The Office Action has been carefully reviewed. Reconsideration and allowance of the claims in light of the foregoing amendments and present remarks is respectfully requested. In addition, a petition for a three-month extension of time is submitted.

Claims 5-20, 22, and 23 stand withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to nonelected inventions, there being no allowable generic or linking claim. Election was made without traverse in Paper No. 4.

Claims 1-4 and 21 stand rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for the preparation of "chemical moieties" by the reaction of the double bond of one monomer with a double bond of another biomolecule-substituted monomer to form a polymer as shown in Scheme 1 of page 9 of the specification, does not reasonably provide enablement for the preparation of "chemical moieties" by any other type of reaction. Claim 1, as written, includes the cases, for example, in which (a) the "reaction product" is formed by the reaction of a functional group substituent such as an amino group on the "polyelectrolyte monomer" with a functional group substituent such as a carboxylic acid on the monomer of the "biological agent recognition element – substituted polyelectrolyte monomer" or (b) the case in which a functional group on the "biological agent recognition element" reacts with a double bond of the "polyelectrolyte monomer". It is further unclear what moiety of either a PEG-biomolecule conjugate or a PEG monomer (specification, page 4, line 27) would react in the process of claim 1. The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make the invention commensurate in scope with these claims.

Applicants have amended claim 1 to limit "the reaction product" to "the polymeric reaction product"; to limit the "polyelectrolyte monomer" to "a polyelectrolyte carbon-carbon double bond-containing monomer"; to limit the "biological agent recognition element -substituted polyelectrolyte monomer" to "a biological agent recognition element -substituted polyelectrolyte carbon-carbon double bond-containing monomer". As noted by the Office Action, the specification was enabled for the preparation of chemical moieties by the reaction of the double bond of one monomer with a double

bond of another biomolecule-substituted monomer to form a polymer as shown in Scheme 1 of page 9.

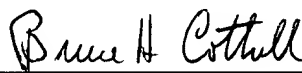
Claims 1 and 3 stand rejected under 35 U.S.C. 102(b)(e)103(a) as being anticipated by or obvious over each of a) Jou et al. (U.S. 5,866,322), b) Jou et al. (U.S. 5,670,381), c) Prakash et al. (U.S. 6,251,866), d) Wu et al. (U.S. 5,166,320), or e) Schacht et al. (U.S. 6,312,727).

Applicants submit that claim 1 has been amended to include the limitations of claim 2. As claim 2 was not rejected by the same art as originally filed claim 1, claim 1 as amended is believed allowable over the cited references. As claim 3 is dependent upon amended claim 1, it is also now believed allowable over the cited references.

In view of the foregoing amendments and remarks, claims 1, 3-4, and 21 are urged to be allowable over 35 U.S.C. 102, 103 and 112. If the Examiner believes there are any unresolved issues despite this amendment, the Examiner is urged to contact the applicants' attorney undersigned below for a telephonic interview to resolve any such issue. A favorable action is solicited.

Respectfully submitted,

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